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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Falkland Islands (Malvinas)

Working paper prepared by the Secretariat

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I. General

1. The Falkland Islands (Malvinas),[1] which is administered by the United Kingdom of Great Britain and Northern Ireland, comprises two large islands, known as East and West Falkland, as well as some 200 smaller islands and has a total area of about 12,173 square kilometres. The Territory is situated in the South Atlantic, about 770 kilometres north-east of Cape Horn and about 480 kilometres east of the South American mainland. South Georgia, located about 1,300 kilometres south-east of the Falkland Islands (Malvinas) group, and the South Sandwich Islands, located about 750 kilometres east-south-east of South Georgia, are administered from the Falkland Islands (Malvinas) as a separate Territory; the Governor of the Falkland Islands (Malvinas) acts as Commissioner for South Georgia and the South Sandwich Islands.

2. According to the territorial census report of 1996, the total number of the persons permanently residing in the Territory in 1996 was 2,081.

II. Constitutional and political developments

A. Constitution and Government

3. Detailed information on the Constitution and Government of the Territory is contained in previous working papers prepared by the Secretariat (A/AC.109/835 and Corr.1, paras. 4-39; A/AC.109/2027 and Corr.1, paras. 3-4 and A/AC. 109/2048, paras. 3-4). It will be recalled that the Constitution Order of the Territory stipulates, *inter alia,* that "whereas all peoples have the right of self-determination and by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development and may, for their own ends, freely dispose of their natural resources without prejudice to any obligations arising out of international economic cooperation, based upon the principle of mutual benefit and international law; and whereas the realization of the right of self-determination must be promoted and respected in conformity with the provisions of the Charter of the United Nations".

B. Political developments

4. In December 1996, the Prime Minister of the United Kingdom addressed the following Christmas message to the people of the Territory:

> "As you and your families gather together this Christmas Eve, I wanted to send you, from a rather cold and wintry London, my very best wishes for your Christmas celebrations.
>
> "At regular intervals over the last twelve months, I have read of your doings with much interest, from the matters of high politics to the remarkable success of your Fighting Pigs band on their tour to Santiago.
>
> "One of the issues that has, I know, been greatly preoccupying you is how best the Islands should approach the prospect of commercially exploitable oil reserves being discovered around your shores.
>
> "Oil exploitation will in itself bring great opportunities, as the North Sea fields have brought to Britain. I hope that oil will prove to ensure your Islands' prosperity for many years to come.
>
> "It will bring challenges, too, of course. Some of you, I know, are nervous about the implications - for the environment and for your traditional way of life. I understand these fears. We have had to face in many ways similar challenges. But I believe they can be surmounted.
>
> "I know too how important fishing remains for your prosperity. It seems to me that one of the priorities for 1997 should be to make progress on an agreement with Argentina to assure the fish stocks in the south-west Atlantic.
>
> "This time last year, I referred to the meeting I had had with President Menem in New York and I spoke a little about the background to our improved relations with Argentina.
>
> "We continue to seek a stable and productive relationship with Buenos Aires, not just because of the interests which Britain and Argentina have in common, but because — as you have repeatedly told us — that it is in your interests too, as the progress on oil exploration has shown.
>
> "But let me repeat an assurance to you too. Our developing relationship with Argentina will not be at the expense of Britain's unchanging commitment to the Falkland Islands.

"You have the right to live under the flag of your choice and we shall continue to ensure that you enjoy that right and enjoy your security.

"Meanwhile, you all remain much in our thoughts. The Falklands Islands may be far from Britain in miles, but you are and will remain close to our hearts. Your concerns are our concerns and I attach importance to our remaining in very close touch as we pursue these together.

"Most immediately, the Defence Secretary, Michael Portillo, will be with you in January. I hope that you will let him know of your concerns and I look forward to hearing his impressions.

"I wish you a very Happy Christmas and a peaceful, happy and prosperous New Year."

5. On 3 January 1997, the Government of Argentina issued the following press release:

"On 3 January 1833, British forces invaded the Malvinas Islands and evicted its population and the Argentine authorities stationed here. On the 164th anniversary of this illegal and illegitimate occupation, the Government and people of Argentina once again reaffirm the Argentine Republic's right to sovereignty over the Malvinas, South Georgia and South Sandwich Islands and the maritime spaces surrounding them.

"The Government of Argentina reiterates its willingness to enter into dialogue and negotiations with the aim of achieving a peaceful, just and lasting solution to the dispute over these territories, in accordance with the resolutions of the United Nations and with international law, which is the cornerstone of civilized coexistence at the threshold of the twenty-first century.

"It therefore reiterates its intention to move forward in its dialogue with the United Kingdom with the aim of building a relationship of mutual confidence and arriving at new understanding in the south-western Atlantic.

"Finally, the Government of Argentina reaffirms the national commitment, which is enshrined in its Constitution, to respect the way of life of the inhabitants of the Malvinas Islands and proposes the restoration of communication and cooperation between the Islands and continental Argentina, as a means of contributing to a better understanding of the inhabitants of the region."

6. In January 1997, the then United Kingdom Secretary of State for Defence, Mr. Michael Portillo, visited the Territory. In a statement made at Stanley on 2 January 1997, he, *inter alia*, stated the following:

"This Government's policy on the Falkland Islands, from the time of the conflict nearly 15 years ago to the present day, is the pre-eminent example of our belief that people must be able to choose their own future, without fear of oppression. The Government is committed to defending the Islands and maintaining their security. There is no caveat, exception or time limit to that commitment.

"Our interest in South Atlantic is tangible and permanent and we shall wish to broaden and deepen our ties with the countries of the region, based on the clarity of our position regarding the sovereignty of the Islands ..."

7. At a press conference given in the Territory during that visit, Mr. Michael Portillo, *inter alia*, said:

"...There will be no reneging on our commitment to the Falkland Islands ... That commitment is that sovereignty is not negotiable and the security of these Islands are a primary responsibility ...

"... For the avoidance of doubt let me say again that we are not prepared to discuss sovereignty let alone share it ..."

III. Mine clearing

8. Information under this section is contained in the 1996 working paper prepared by the Secretariat (A/AC.109/2048, para. 10).

IV. Economic conditions

A. Public finance

9. According to the administering Power, in the financial period 1995/1996/1997 the estimated total revenue was £36,198,450 and the estimated total expenditure was £38,365,010. A breakdown of the revenue by type is as follows: fishing licences and trans-shipments, £16,712,200; investments, £5,973,840; taxes and duties, £2,965,000; sales of goods and services, £5,491,890; fines and licences, £98,550; capital revenue, £4,43,600; and miscellaneous, £13,400. Expenditure included the following: staffing costs,

£8,809,180; vehicle costs, £286,190; internal transfers, £2,176,770; other operational costs, £10,035,670; and capital expenditure, £17,114,170. Capital expenditure in the 1995/1996 financial year included the following: loans and investment, £1,615,000; plant and vehicles, £2,070,600; roads, £3,324,600; housing, £528,000; government buildings and lands, £1,329,800; municipal services £1,065,000; air transportation, £386,350; consultancies, £1,135,000; department capital assets, £556,510; fund transfers, £1 million; and transfer payments, £3,762,310.

B. Agriculture, land tenure and livestock

10. During the years 1980-1996, the territorial Government implemented its farms subdivision programme. As a result, previously very large farms have been subdivided and sold to local farmers. Thus, the number of farms increased from 36 in 1980 to 86. Another result of the subdivision programme was the transfer of majority foreign land ownership to the islanders. During 1980-1996, the ratio of foreign land ownership in the Territory decreased from 76 per cent to 1.23 per cent respectively. Foreign land ownership currently comprises the Pebble and Keppel Islands.

11. The Department of Agriculture continues to be responsible for this sector of economy. The agricultural grant scheme was completed in June 1995 and was replaced by the rural development assistance scheme with emphasis on diversification and development-related initiatives. In 1995/1996, the budget of the Department totalled £552,000. The Department has developed a multidisciplinary approach to assistance to the landholders. Specialists in agronomy, sheep husbandry and veterinary services, as well as an agricultural economist, assist farm management and, in particular, provide support to new farmers.

12. During the period under review, sheep ranching continued to be the main industry of this sector of economy. In 1996, the number of sheep was £638,116 and the gross volume of raw wool sales totalled £3,504,252. Stock improvement continues to be pursued through careful selection, introduction of new genetic material, encouragement of new and improved sheep ranching practices and pasture improvement.

C. Fisheries

13. Squid, including *Loligo* and *Illex*, are the mainstay of the territorial fisheries and economy. In 1996, the total catch of all species was 194,895 tonnes, including 79,803 tonnes of *Illex* and 61,360 tonnes of *Loligo*.

14. The Fisheries Department continues to supervise all activities in that industry. Scientific activities of the Department included routine monitoring of all commercial fish stock. In cooperation with Stevedore and Fishery Services, Ltd., and their Spanish partners, a deep water areas exploration project was undertaken. As a result, several species were recorded in the area and certain future commercial opportunities were identified. A squid research project was conducted together with scientists from the British Antarctic Survey and from Australia. Territorial Government expenditure on fisheries in 1995/1996 amounted to £3.9 million. Fisheries protection and aerial surveillance accounted for 67 per cent of the total expenditure, with a further 19 per cent assigned directly to support scientific research on *Illex* and *Loligo*, commercial finfish species and stock assessment techniques.

15. The number of local companies operating in the fisheries sector continued to grow. There was an increase in the number of fishing vessels registered locally.

16. Revenues from fishing licence allocations to foreign companies continued to be a major source of economic welfare of the Territory. In 1995, 263 fishing licences were allocated to foreign companies, producing a total revenue of £19,847,893. In 1994, £247,500 revenue originated from 192 trans-shipping/reefer licences issued by the Department. Among the countries licensed to fish in the islands' waters were Chile, France, Honduras, Italy, Japan, Panama, Poland, Portugal, the Republic of Korea, Spain and the United Kingdom.

17. The twelfth meeting of the South Atlantic Fisheries Commission concluded its work on 27 November 1996 at Buenos Aires. The following joint statement of the Commission was issued on the same day:

> "1. The Twelfth Meeting of the South Atlantic Fisheries Commission took place in Buenos Aires on 26 and 27 November 1996. The British delegation was led by the Head of the South Atlantic and Antarctic Department, Mr. Tony Longrigg, and the Argentine delegation was led by the Legal Adviser, Ambassador Orlando Rebagliati. The meeting took place in a friendly and constructive atmosphere.
>
> "2. The British and Argentine delegations agreed that there applied to this meeting and its consequences the formula on sovereignty over the Falkland Islands, South Georgia and the South Sandwich Islands and the surrounding maritime areas

agreed by the British and the Argentine Governments in paragraph 2 of the Joint Statement issued in Madrid on 19 October 1989.

"3. The South Atlantic Fisheries Commission welcomed the reports of the Scientific Subcommittee on its seventh and eighth meetings, which were held, respectively in London on 8 and 9 July 1996 and in Mar del Plata on 21 and 22 November 1996. It took note of the cooperation between the Instituto Nacional de Investigación y de Desarrollo Pesquero (INIDEP) and the Imperial College and of the progress made on joint research. The Commission expressed its satisfaction at the progress made by the Subcommittee in terms of the organization of future joint work and agreed to recommend to their Governments the Subcommittee's proposals.

"4. Both delegations expressed their commitment to the conservation of fish stocks in the South Atlantic and agreed to recommend to their Governments the continuation of cooperation to reach a greater level of scientific understanding of the most significant off-shore species in its area of cooperation. To help achieve this objective, and as in previous years, a joint research cruise will take place in 1997 to evaluate the level of the *Illex* squid stock.

"5. The delegations recalled their request in 1995 that the Institute and the Imperial College should discuss mechanisms to improve the early warning system for *Illex*. The Commission also noted that significant progress had been made and agreed to recommend to Governments improvements proposed by the Subcommittee, among them the need for real-time exchange of data for vessels involved in the *Illex* fishery. The Commission agreed to recommend to Governments that they should make every effort to ensure that the level of *Illex* spawning stock biomass at the end of the 1997 season should be at least 40,000 tonnes.

"6. The Commission noted the concerns expressed by the Subcommittee on the status of southern blue whiting stock and the uncertainties over methodology which have emerged in its scientific evaluation. In this context the Commission agreed to recommend to Governments that joint research on this species should be intensified.

"7. The Argentine delegation referred to the concern of its Government at the situation created by the decision with respect to the area to the west of the area described in the annex to the joint statement of 28 November 1990. It expressed the hope that this subject would be duly treated to resolve the situation. The British delegation stated its position.

"8. The two sides will maintain contact through diplomatic channels to agree on the place and date of the next meeting of the Commission."

D. Tourism

18. During the 1994/1995 financial year, 35 cruise ships carrying 5,650 passengers visited the Territory. The number of air passenger arrivals was 7,025.

E. Oil

19. The second meeting of the South-West Atlantic Hydrocarbons Commission concluded its work on 10 December 1996 in London. The follow-up joint statement of the Commission was issued on the same date:

"1. The second meeting of the South-West Atlantic Hydrocarbons Commission took place in London on 10 December 1996. The British delegation was led by Mr. William Marsden, Director of the Americas Command at the Foreign and Commonwealth Office, and the Argentine delegation by Ambassador Alberto Daverede, Under-Secretary for Foreign Policy at the Ministry of Foreign Affairs, International Trade and Worship. A meeting of the Subcommittee for the Special Cooperation Area took place on 9 December.

"2. The British and Argentine delegations agreed that there applied to the meeting and its consequences the formula on sovereignty over the Falkland Islands, South Georgia and the South Sandwich Islands and the surrounding maritime areas, set out in paragraph 1 of the Joint Declaration of 27 September 1995.

"3. The Joint Commission expressed satisfaction at the progress made by its Subcommittee in working out arrangements for a licensing round in the Special Cooperation Area. It endorsed the agreement that had been reached on the configuration of tranches, the approach to taxation and guidelines on the regulatory framework.

"4. The Joint Commission gave particular consideration to issues related to the protection of the marine environment of the south-western Atlantic and

to the development of a joint strategy for the management of environmental, health and safety matters.

"5. The Joint Commission confirmed the Subcommittee's recommendation that the two Governments allow airborne and seismic surveys of the Special Cooperation Area to be carried out. Two applications have so far been received. The Joint Commission agreed to coordinate the issue of corresponding, non-exclusive licences by Governments. They would aim to do this to allow the first survey to begin in February 1997. The results should then be available by mid-1997.

"6. The Joint Commission confirmed that they would aim for the launch of the licensing round in the Special Cooperation Area by the end of 1997. It noted that work would have to be intensified to realize this objective. The Joint Commission recommended that, in particular, work on the details of the invitation to companies to apply for licences in the Special Cooperation Area should be tackled as a priority. Discussion on this topic will be continued at the next meeting of the Subcommittee in Buenos Aires in March 1997.

"7. Both sides discussed ways of cooperating over the promotion of the exploration for and exploitation of hydrocarbons in the maritime areas of the south-west Atlantic subject to a controversy on sovereignty and jurisdiction and the use of existing infrastructure. They agreed to pursue arrangements for an oil sector mission to the region to consider areas of cooperation in the development of hydrocarbons in the south-west Atlantic. The cooperation should be guided by commercial criteria in line with the Joint Declaration of September 1995.

"8. The Joint Commission was pleased with the significant progress that had been made since their last meeting. Joint work was going forward in a cordial and constructive atmosphere. The next meeting of the Joint Commission is planned for Buenos Aires in the first half of 1997."

F. Transport, communications and other basic facilities

20. Detailed information on transport, communications and other basic facilities is provided in the previous working papers prepared by the Secretariat (A/AC.109/1198, paras. 65-70; A/AC.109/2027, paras. 32-33 and A/AC.109/2048, paras. 27-33).

21. During the period under review, the Civil Aviation Department carried out a survey of the pavement surfaces at the Stanley Airport and is currently concentrating its efforts on completing slurry-sealing of the runway and clearing of the drainage system. Routine maintenance and surveys of the territorial camp airstrips continued. The chief inspector of aviation security from the United Kingdom visited the Territory in March 1995 to review aviation security in the Islands.

22. The Falkland Islands Broadcasting Service continued to provide programming within the 24-hour-a-day service agreed upon with the British Forces Broadcasting Services.

23. The Media Trust continued to be responsible for the *Penguin News*, a territorial weekly newspaper, and concentrated its efforts on further improvement in the quality of the publication.

24. The Philatelic Bureau was restructured, emphasis being placed on quality of design and increased publicity to encourage worldwide collection of the territorial stamps.

25. During the period under review, the Government of Argentina maintained its position that the restoration of communications between the mainland and the Falkland Islands (Malvinas) continued to be a primary objective, since improved links would produce commercial and economic benefits for the entire region by creating the necessary framework for achieving greater understanding between the inhabitants of the region and for serving their interests (see also A/AC.109/2048, para. 32).

G. Banking

26. The Standard Chartered Bank of the United Kingdom has been operating in Stanley since 1983. Both United Kingdom and local coinage are used, together with local currency notes.

H. Public works

27. During the period under review, the Public Works Department completed the following projects: construction of North Camp Rural Road to Port San Carlos; building of dwellings at West Stanley; and the rebuilding of the Moody Brook dam. Construction of a road from Port Howard to Fox Bay is nearing completion. In 1995, the Department published a draft town plan for Stanley. The projects of the

Department for 1996 include upgrading of main rural roads, construction of additional classrooms, a new hall at the Stanley junior school and development of the East Stanley area.

V. Social conditions

A. General

28. According to the administering Power, during the period under review, there have been no complaints of discrimination on the basis of race or religion. There have been no problems in cultural relations. The Territory observes the principles contained in the Universal Declaration of Human Rights. The provisions of the European Convention on Human Rights have been extended to the Territory by the United Kingdom. The extension of that Convention includes the right of an individual who alleges that his human rights have been transgressed and who has exhausted all other remedies to petition the European Court of Human Rights. Further, the United Kingdom has extended the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights to the Islands and observes the regular reporting procedures under these instruments. As in the United Kingdom, the European Convention and the International Covenants do not in themselves have the force of law in the Territory. However, the rights provided by them are protected by the Constitution and the provision of safeguards within the laws applying to the Islands, distinct from, but in conformity with, the Covenants. The common law of the United Kingdom applies in the Falkland Islands (Malvinas) except insofar as it is inconsistent with any enactment of the law applying to the Falkland Islands.

29. There is no discrimination on the basis of sex in the implementation of articles 2 and 3 of the International Covenant on Civil and Political Rights. The Convention on the Elimination of All Forms of Discrimination Against Women has been applied by the United Kingdom to the Falkland Islands (Malvinas) with the agreement of the Territorial Government. The second report required under the terms of that Convention in relation to the Falkland Islands (Malvinas) has been submitted by the United Kingdom Government to the United Nations in accordance with the terms of the Convention.

B. Public health

30. According to the administering Power, the general state of health and nutrition of the population and the standard of medical care in the Territory are similar to those in North America and Europe. The principal causes of death are carcinomatosis, ischaemia and respiratory infection of the aged.

31. Medical and dental care as well as medications are free to all residents of the Territory and all United Kingdom citizens. A medical services levy is paid by every resident of the Territory as follows: employed persons, 1 per cent of their salary; employers, 1.5 per cent of the salary of each employee; and self-employed persons, 1.5 per cent of their net profit.

32. The territorial Medical Department is responsible for the supervision of public health services. The Department's total expenditure in the 1993/1994 financial year was £1,947,420. There is no private system of medical care. All medical services in the Territory are based at the King Edward VI Memorial Hospital at Stanley. The hospital has 28 beds, including two maternity and two intensive-care beds. The hospital has the facilities to deal with all acute medical and surgical conditions. Cases requiring specialist facilities are referred to the United Kingdom or to Uruguay for emergency.

C. Social security and welfare

33. There are contributory and non-contributory old age pension schemes. There is no provision for payment of a disability pension, but there is a system of social welfare grants and pensions to deal with cases of hardship and disability. Social welfare expenditure in the 1994/1995 financial year was approximately £40,500.

D. Housing

34. In cooperation with the administering Power, the territorial Government completed a programme of "general needs" housing construction and is now concentrating on the provision of single-person housing and serviced plots for self-builders.

VI. Educational conditions

35. During the period under review, both Stanley schools and camp education had a full complement of teachers. The school curriculum is reported to be up to date. Thirteen students gained sufficient grades to qualify for overseas training. The compulsory schooling age was raised to 16 years, bringing that indicator into line with world standards. Progress in upgrading books and reference materials in the community library was also reported.

VII. Other developments

36. On 22 January and 20 February 1997, two groups of next-of-kin of Argentine casualties of the 1982 conflict, buried in the Falkland Islands (Malvinas), visited the Territory. The arrangements for those visits of a humanitarian nature took place following discussions between the Argentine and the British sides. During the visits, the groups, consisting of 15 persons each, visited the cemetery where the Argentine casualties are buried and attended religious services.

VIII. Participation in international organizations and arrangements

37. The Government of the Falkland Islands (Malvinas) participates in activities of the Commonwealth and is a member of the British Dependent Territories Association. It also takes part in the work of multilateral organizations concerned with the exploitation and preservation of marine resources in the South Atlantic.

IX. Consideration by the United Nations

A. Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

38. The question of the Falkland Islands (Malvinas) was considered by the Special Committee at its 1457th meeting, on 22 July 1996. At the same meeting, the Committee heard Councillor E. M. Goss and Councillor R. J. Stevens, of the Legislative Council of the Falkland Islands (Malvinas), as well as Mr. Luis Gustavo Vernet, Mr. Ricardo Ancell Paterson and Mr. Pablo Betts. Also at the same meeting, the Special Committee acceded to the requests of the delegations of Argentina and Brazil to participate in the consideration of the item.

39. At the 1457th meeting, the Minister for Foreign Affairs, International Trade and Worship of Argentina made a statement reiterating the position of his Government on the issue, in which, *inter alia*, he said the following:

> "... It has been precisely defined that, regarding the Malvinas Islands issue, there is, in the first place, a sovereignty controversy over the Territory. In the second place, that in this controversy, from the legal point of view, there are only two parties: Argentina and the United Kingdom.
>
> "In the third place, that the solution to this controversy should come out of negotiations between both Governments as the only way to end the colonial situation, which discards the possibility of applying the right to self-determination, in this case ... we trust that the United Kingdom, in response to numerous appeals from the international community, will accept to return to the negotiating table where civilized nations settle their differences.
>
> "... To the inhabitants of the Islands, we ask that they do not remain indifferent to the positive evolution and our attitude towards them. We renew to them our commitment contained in our national Constitution, to preserve their way of life ..."

40. At the same meeting, the representative of Brazil, on behalf of the States members of the Southern Cone Common Market (MERCOSUR) (Argentina, Brazil, Paraguay and Uruguay) and also on behalf of Bolivia and Chile, read out the "Declaration on the Malvinas" adopted at the meeting of the Presidents of MERCOSUR on 25 June 1996 (see A/AC.109/SR.1457 and para. 46 below).

41. At the same meeting, the representative of Chile on behalf also of Cuba, Papua New Guinea and Venezuela, introduced draft resolution A/AC.109/L.1844. Following statements by the representatives of Cuba, Venezuela and Afghanistan, the Special Committee adopted draft resolution A/AC.109/L.1844 without a vote. Also at the same meeting statements in explanation of their positions were made by representatives of Papua New Guinea, Trinidad and Tobago and Sierra Leone.

42. On 1 August 1996, the text of resolution A/AC.109/2062 was transmitted to the Permanent Representative of the United Kingdom of the Great Britain

and Northern Ireland and to the Permanent Representative of Argentina to the United Nations for the attention of their Governments.

B. General Assembly

Position of the Government of Argentina

43. During the General Debate at the fifty-first session of the General Assembly, the Minister for Foreign Affairs, International Trade and Worship of Argentina, in the course of his statement at the 4th plenary meeting on 22 September 1996, reiterated the position of his Government as follows:

> "...There is still an important unresolved issue: the persistent sovereignty dispute over the Malvinas, South Georgia and South Sandwich Islands and their surrounding maritime spaces.
>
> "During these last six years, I have come to this forum to voice the claims of the Government and people of Argentina in their sovereignty dispute over the Malvinas Islands.
>
> "It is incomprehensible that while Argentina and the United Kingdom have overcome the sorrow and have left behind their mutual disagreements and distrust and built up a harmonious and constructive relationship — and we see the positive results of this day by day — they have not so far been able to comply with the resolutions of the General Assembly and of the Decolonization Committee and to progress in the dialogue towards a definitive solution to this dispute. We have not even been able to sit down together around a table to talk, even if only to express our disagreement.
>
> "In the same spirit that encouraged our two countries to cooperate in the South Atlantic for the protection of its renewable and non-renewable resources, we should advance in our search for a peaceful solution to this dispute.
>
> "In spite of our efforts, the lack of direct links with the Malvinas impedes human contacts, trade and tourism, among other possible exchanges, and has slowed down the economic and cultural development of the South Atlantic. The lack of relations between the two areas is inconceivable in today's world.
>
> "Argentina is proud of its great cultural diversity. Since the birth of our nation, our laws have preserved and guaranteed such cultural heritage. Our national Constitution establishes the objective of recovering the Malvinas Islands and the full exercise of sovereignty, and ensures respect of its inhabitants' way of life. The only thing lacking is the will to start a new phase together.
>
> "Argentina is firmly convinced that a new era should begin in the South Atlantic, as an area free from tensions — a place where different cultures committed to humanistic ideals and with a common wish for progress and well-being may come together."

44. That position was reaffirmed by the representative of Argentina in a statement made in exercise of the right of reply to the statement by the representative of the United Kingdom (see para. 45 below) at the 5th plenary meeting of the fifty-first session of the General Assembly on 23 September 1996.

Position of the administering Power

45. In his statement at the 5th plenary meeting of the General Assembly, the Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom made no reference to the question of the Falkland Islands (Malvinas). However, speaking in exercise of the right of reply to the remarks of the Foreign Minister of Argentina (see para. 44 above), the representative of the United Kingdom made the following statement:

> "... I would like to say a few words today in response to the remarks made by the Foreign Minister of Argentina concerning the Falkland Islands. We were glad that the Foreign Minister again referred to the increasing cooperation between the United Kingdom and Argentina, which characterizes our bilateral relationship. My Government sincerely hopes that the progress which has been achieved will be built on and further developed. But my Government does not accept the Foreign Minister's remarks about sovereignty. We have no doubt about Britain's sovereignty over the Falkland Islands and the other British territories in the South Atlantic.
>
> "In the Falkland Islands we must heed the wishes of the people. Many families trace their ancestry in the Falklands back for five or six generations. The elected representatives of the islanders, some of whom visited the United Nations for the debate in the Committee of 24 last July, have expressed their views clearly and on many occasions. They have stated their belief in their right to self-determination to live under a Government of their choice and, as a democratic voice of the Falkland Islands people, they have reiterated their view that they do not want to be part of Argentina.

"Despite our differences with Argentina on the subject of sovereignty, we are continuing a constructive dialogue with the Government of Argentina on, for example, hydrocarbons development and fisheries in the South Atlantic. A further round of talks at the official and ministerial level aimed at making further progress on these and other issues will take place in New York this week. We value these practical steps to develop United Kingdom-Argentine cooperation benefiting the Islands. We hold these discussions while maintaining our position regarding the issue of sovereignty over the Falklands."

Contribution by other Member States

46. On 9 July 1996, the Permanent Representative of Brazil to the United Nations addressed a letter to the Secretary-General (A/51/205) transmitting the Declaration of the Presidents of the States members of the Southern Cone Common Market (MERCOSUR) and the Presidents of Bolivia and Chile, on the question of the Falkland Islands (Malvinas), and requested that it be circulated under item 49 of the provisional agenda of the General Assembly.

47. During the general debate on decolonization items in the Special Political and Decolonization Committee (Fourth Committee), the representative of Bolivia, on 10 October 1996, speaking on behalf of the Rio Group (Argentina, Brazil, Chile, Colombia, Costa Rica, Mexico, Panama, Peru, Uruguay and Venezuela), expressed a hope that the positive evolution by the bilateral relations between the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland would allow to find a peaceful and lasting solution to the question of sovereignty over the Falkland Islands (Malvinas), South Georgia and South Sandwich Islands in conformity with the relevant resolutions of the United Nations General Assembly and Special Committee on Decolonization (see A/C.4/51/SR.5).

48. At the same meeting, the representative of Brazil, referring to the question of the Falkland Islands (Malvinas), recalled the Declaration by the Presidents of the MERCOSUR countries, as well as Bolivia and Chile, adopted at their tenth meeting (A/51/205), and reiterated that position. The representative of Uruguay, in a statement on 9 October 1996, also referred to the question of the Falkland Islands (Malvinas) (A/C.4/51/SR.4).

49. Speaking in the exercise of the right of reply on 9 and 10 October 1996, the representative of the United Kingdom referred to the statements made by the representatives of Bolivia, Brazil and Uruguay, expressing the wish that a solution should be found to the sovereignty dispute over the Falkland Islands, South Georgia and South Sandwich Islands. He said that the position of the United Kingdom was well known and had been set out most recently in its exercise of the right of reply in connection with the statement made to the General Assembly by the Argentine Minister for Foreign Affairs on 22 September 1996.

Action by the General Assembly

50. On 25 October 1996, at its 41st plenary meeting, the General Assembly decided to defer consideration of the item entitled "Question of the Falkland Islands (Malvinas)" and to include it in the provisional agenda of its fifty-second session (decision 51/407).

Notes

[1] The information contained in the present paper has been derived from information transmitted to the Secretary-General by the Government of the United Kingdom of Great Britain and Northern Ireland under Article 73 *e* of the Charter of the United Nations on 24 March 1997, as well as from the official documents of the Government of Argentina.